November 27, 2006

The Common Council met as the Water Utility Board at 7:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Knowles presiding and members Askren, Tucker, Rueger, Curtis, and Cooper attending. Others attending were Attorney Funkhouser; Comm. Epison; Acting Fire Chief Reese; Paula Rudibaugh; Aaron Andres; Larry Williams; Larry Horton; and arriving during the meeting, Tiffani Eisenhut - Mount Vernon Democrat; Supt. Gray; Attorney Higgins; and Tom Hogan - Johnson Controls.

Mayor Knowles called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. She added if not, she entertains a motion to waive their reading and to approve the minutes as presented.

Board member Askren moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Curtis.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles requested action on the claims presented.

Board member Cooper moved the claims presented be allowed for payment. Seconded by Board member Rueger.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

*****CLAIMS****

Mayor Knowles stated they have the Financial Report before them and any questions could be directed to Clerk-Treasurer Wolfe.

Mayor Knowles asked if the Clerk-Treasurer had any Communications for the Board?

Clerk-Treasurer Wolfe replied not at this time.

Tiffani Eisenhut arrived at the meeting.

Mayor Knowles stated the first item on the Legal portion of the Agenda is Aaron Andrews and discussion on making his position a permanent one.

Supt. Gray, and Mr. Hogan arrived at the meeting.

Mayor Knowles stated this was actually generated by the Board of Works at their last meeting, when it was discussed that Mr. Andrews is seeking full time employment. She

added the position of city engineer was not filled after the resignation of Mr. Brazdys, and Mr. Andrews has been also filling in some for that position, his work is vital. She added the Board of Works recommended Mr. Andrews be hired as a full time employee. She then asked if there were any questions of Mr. Andrews? She added Mr. Andrews has been doing the work on the GIS mapping, and as a result, he has discovered 80 manholes that need to be uncovered. He has also been doing a lot of the leg work for IDEM on the sewer mapping.

Board member Cooper asked what position he is interested in, the city engineer?

Mayor Knowles replied no, GIS Analyst, though there will be still be some instances where the city will need the services of HLRD. She added the GIS Analyst position is basically a modern day surveyor.

Board member Curtis asked what capacity he is currently working in, 100% full time?

Mayor Knowles replied yes, since March.

Board member Tucker asked if Mr. Andrews was originally hired for a full time position?

Mayor Knowles replied yes, doing work for the water department, wastewater, and street department, it was full time temporary. She added he started at around \$12.00 or so per hour, and he does have a GIS degree.

Attorney Higgins arrived at the meeting.

Mayor Knowles stated there has been a lot of money invested in the GIS program so far and even Supt. Givens commented that the GIS position is not one that could be done by just anyone and the department heads are busy with other things. She added in the future, there may also be the possibility of getting some grants through the DNR for making Mount Vernon a Tree City. She also stated M D Wessler, the firm doing the long term control plan, indicated they would charge \$50.00 per hour for these services.

Board member Curtis agreed that \$16.00 per hour is cheaper than \$50.00 per hour but he was hired on a temporary basis, now that has been extended in order to keep the city up to date, which he understands, but is this really a full time position?

Mayor Knowles replied she feels that it is.

Mr. Andrews passed information out to the Board and went over some of the future plans. He stated some of those include water valve location, mapping, and pressure testing; valve inspection, sidewalk and curb inventory; drainage, culvert inventory, and many inlets are also in bad shape. He added he has also come across a few asbestos lines that need addressed; smoke testing in E & S Housing indicated 13-14 defects that Supt. Givens will be pursuing; and he has also been doing work on the annexation for the new ethanol plant.

Mayor Knowles added he has also been to the court house many times looking up property records, something she and Mrs. Peerman have no time for.

Mr. Andrews stated there are many ongoing things and it does take time to put all of that information on the map, especially as the city grows.

Mayor Knowles added the house numbers in Lakeview are wrong and need to be fixed. Councilman Tucker had inquired in the past about issues of properties either being in the city or out of the city limits, Mr. Andrews can also work on that.

Mr. Andrews asked if the Board had any questions for him?

Councilman Tucker stated he has the same concern as Board member Curtis, is there enough work for a full time position? He added the position had originally been full time/temporary and now all of a sudden it needs to be permanent. He then asked if Mayor Knowles filled the city engineer position?

Mayor Knowles replied no, she never filled that position. She added that position doesn't pay much at all, in 2005 Mr. Brazdys was probably paid between \$5,000-\$8,000. She added Mr. Andrews new title will be GIS Analyst and he will still work with HLRD from time to time. She added HLRD is now charging the city \$80/hour, since Mr. Brazdys left the firm., very expensive. She then stated the State Board of Accounts Annual Report, it indicates the city returned several thousands of dollars back to the taxpayers as well.

Board member Tucker asked what kind of a salary is the Board is looking at?

Attorney Higgins replied \$34,800 annual salary plus benefits and social security.

Mayor Knowles agreed it would be equivalent to the other department heads.

Board member Rueger asked if this could be tabled?

Mayor Knowles replied sure.

Board member Curtis stated he would like to see a proposed job description. He then stated the work he is doing is good and it is something the city needs, but he would really like to see a job description.

Mayor Knowles replied she and Mr. Andrews can have that to them by the next meeting.

Board member Rueger stated he would like to see a resume as well.

Mr. Andrews replied that would be no problem.

Mayor Knowles stated they will now hear the report of the Water Superintendent.

Supt. Gray reported there was no boil order for Thanksgiving! He continued by stating Roger Pittman passed his certified operator test and they now have five certified operators at the plant. He added he would like permission for himself, Mr. Pittman and Mr. Hansen to attend a water conference December 4-6, 2006, at which time they will be able to get the credits that operators need to keep their license. He added he would also like permission for the city credit card and use of the city vehicle.

Board consented.

Supt. Gray continued his report by stating the plans have changed on the filter upgrade, there were no soil samples to be found, therefore, the filters need to be moved to where they currently park their vehicles. He added this actually reduces the time crunch they were under and will eliminate having to tear down KROFTA 1.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles stated on the Agenda under Audience is Johnson Control.

Mr. Tom Hogan approached the podium and stated over the last year, they have been studying the water loss and water revenues, and they are some loss and shortfall issues, though he believes they do have an excellent fix for that. He added they are proposing to fix these issues with no rate increases and no bonding, the projects are actually funded through the fix itself. He added JCI also guarantees their work, with oversight by the State Board of Accounts. He stated the city currently has an old meter population, and when meters get old, they slow down and may not read accurately. He then stated JCI is projecting \$3.7M in benefits to the city over the next 15 years. Again, the project will pay for itself, and rates at most financial institutions are coming down as well. He then stated they are looking at infrastructure improvements, meters that "talk" to the computers at the billing office, no estimated bills, and irregular usages are flagged. He also stated they will be implementing new billing software.

Mr. Hogan continued by stating their engineers will be conducting studies on capital improvements, the city needs IDEM off their back. They will also be working on redesigning the Keck Booster Station and the Seibert Booster Station, though there will only be a study on the Farmersville Tower. He concluded by stating JCI 's projections are \$3.7M guaranteed savings. He then asked if there were any questions?

Board member Curtis asked if the meters are the same ones that were discussed when JCI made their presentation to the Board?

Mr. Hogan replied yes, they are radio read. He added Supt. Gray has done a heck of a job getting information together for them, he has made their job very easy.

Supt. Gray asked if the \$3.7M is profit?

Mr. Hogan replied there is also the cost of the meters, implementation, software, services., etc. He added the city has the option in three years not to renew the contract, but JCI can assure the city of results.

Board member Curtis asked Attorney Higgins for some clarification.

Attorney Higgins stated they had just met in her office before the meeting concerning the financial obligations. She stated the meter replacement will have to be financed by the city, the \$3.7M savings is not net. She stated \$1.7M will be spent on hardware, then \$1.2M in services over 15 years. She added the projected net savings for the city over 15 years would be \$46,000.

Board member Curtis asked is service includes looking into other problem areas and solutions for them?

Mayor Knowles replied yes.

Board member Curtis added but that does not include paying for those solutions?

Mr. Hogan replied no.

Mayor Knowles stated they are hopeful for additional savings.

Mr. Hogan added JCI was very conservative with their figures.

Attorney Higgins stated once the contract is signed, if there is a shortfall, JCI can either write the city a check, carry it over to the next term or end of the contract, or pay it out with in-kind services. She added a lump sum of \$443,000.00 will need to be paid out up front on execution of the contract. She stated they will need to enter into lease financing in order to pay for everything, and payment will be due on closing of the lease after draw down from a financial institution. She added there will be monthly payments as well.

Mr. Hogan stated the savings have to pay for the project. He then thanked the Board for their time.

Mayor Knowles asked how they wished to proceed?

Attorney Higgins replied there is no contract yet since some changes were recently made. She added she and JCI were agreeable to the changes and Board can approve subject to revisions being made.

Mayor Knowles asked Attorney Higgins to forward contract to Attorney Funkhouser.

Board member Rueger moved they accept the contract with JCI pending revisions made by Attorney Higgins and JCI. Seconded by Board member Curtis.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously. Mayor Knowles asked if there was any Old Business? There was none. Mayor Knowles asked if there was any New Business? There was none. Mayor Knowles stated if there were no further business, she entertains a motion to adjourn. Board member Cooper moved the meeting be adjourned. Seconded by Board member Askren. Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously and adjourned the meeting. Rosemary L. Knowles Mayor ATTEST: Cristi L. Wolfe

Clerk-Treasurer

November 27, 2006

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Knowles presiding and members Askren, Tucker, Rueger, Curtis, and Cooper attending. Others attending were Attorney Funkhouser; Comm. Epison; Acting Fire Chief Reese; Paula Rudibaugh; Aaron Andres; Larry Williams; Larry Horton; Tiffani Eisenhut - Mount Vernon Democrat; Supt. Gray; Attorney Higgins; and Tom Hogan - Johnson Controls.

Mayor Knowles called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. She added if not, she entertains a motion to waive their reading and to approve the minutes as presented.

Board member Askren moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Curtis.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Street & Light Chairman Curtis stated he has no report.

Comm. Epison stated he has no report.

Mayor Knowles asked if there were any questions?

There were none.

Police & Dog Chairwoman Askren stated she has no report.

Mayor Knowles stated Chief Beloat is on vacation and asked if there were any questions?

There were none.

Fire Chairman Tucker stated he has no report.

Acting Fire Chief Reese stated he has no report.

Mayor Knowles asked if there were any questions?

There were none.

Sewer Chairman Rueger stated he has no report.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles stated they have the Financial Report before them and any questions could be directed to Clerk-Treasurer Wolfe.

Mayor Knowles asked if Clerk-Treasurer Wolfe had any Communications for the Council?

Clerk-Treasurer Wolfe replied not at this time.

Mayor Knowles stated the first item on the Legal portion of the Agenda is the final reading on the proposed Ordinance Establishing a Vehicle Seat Belt Policy for the City of Mt. Vernon, Indiana.

Councilman Rueger moved ordinance pass final reading. Seconded by Councilman cooper.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 06-28.

Mayor Knowles stated the next item is the second reading of the proposed Ordinance to Amend Sections 70.25, 70.26, and 70.35 for the Mt. Vernon Code of Ordinances Raising the Accident Report Fee and Establishing a Vehicle Inspection Fee.

Mayor Knowles asked if there were any questions?

Councilman Rueger moved ordinance pass second reading. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried unanimously.

Councilman Rueger moved the rules be suspended and ordinance pass on final reading. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 06-29.

Mayor Knowles stated the next item is the second reading of the proposed Ordinance Establishing Annual Salaries of all Elected Officials for the City of Mount Vernon, Indiana for the year 2007. She then asked if there were any questions?

There were none.

Councilman Rueger moved the ordinance pass second reading. Seconded by Councilman Curtis.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - no; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Rueger moved the rules be suspended and the ordinance pass on final reading. Seconded by Councilman Curtis.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - no; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 06-30.

Mayor Knowles stated the next item for consideration is the second reading of the Ordinance of Additional Appropriations in the General and Cumulative Capital Improvement Funds.

Councilwoman Askren moved ordinance pass second reading. Seconded by Councilman Rueger.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Rueger moved the rules be suspended and the ordinance pass on final reading. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasure with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 06-31.

Mayor Knowles stated the next item is the proposed Ordinance Establishing the County Option Income Tax Fund.

Councilman Rueger moved ordinance pass second reading. Seconded by Councilman Curtis.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Rueger moved the rules be suspended and the ordinance pass final reading. Seconded by Councilman Cooper.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 06-32.

Mayor Knowles stated next on the Agenda is an Ordinance Amending Ordinance No. 06-25 of the City of Mount Vernon, Indiana concerning the Construction of Additions and Improvements to the Sewage Works of the City and the Issuance of Revenue Bonds to Provide the Cost Thereof. Mayor Knowles added this amendment will preapprove an extra

\$50,000 on the SRF loan. She added she has talked with some of the Council about this and the money may be needed if the water department chooses to go with Keystone for their new software. She added though this is for the wastewater SRF, she is sure the amount will be less than the \$50,000, and she did talk with Councilman Cooper. She assured the Council that this may not even be needed. She then asked if there were any questions?

Councilman Rueger moved ordinance pass first reading. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions?

Councilman Tucker stated the attorneys from Indy are handling this, why can't the local attorneys handle this?

Mayor Knowles replied she has been told heard that they can not, the city needs bond counsel.

Attorney Higgins agreed and stated there is a price tag for this kind of work, for their "opinion", but this type of work does need to be hired out.

Mayor Knowles asked if there were any other questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Rueger moved the rules be suspended. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions?

Councilman Cooper stated Attorney Higgins has had no time to review this ordinance.

Mayor Knowles replied she thinks this is something that has to be done tonight, the closing is on November 29.

Attorney Higgins agreed there are certain deadlines to meet and though the ordinance reads \$50,000 for the billing system, that is probably overstated.

Mayor Knowles stated she was told the billing system would cost \$7,000 for the module and she showed that figure to Councilman Cooper.

Attorney Higgins stated her question is, is the city going to replace Data Design with a guaranteed program?

Mayor Knowles replied this portion of the project JCI already started.

Attorney Higgins stated she just wants to be sure the Council knows what they are paying for. This amendment is \$50,000 for a billing system.

Mayor Knowles stated the SRF is for wastewater, and it should be obvious that they are not going to pay for anything twice.

Attorney Higgins stated she does not know what the \$50,000 is specifically for, she has had no guidance.

Councilman Curtis stated it seems it is "up to" \$50,000 but not necessarily \$50,000.00.

Councilman Cooper stated basically like a line of credit, if it isn't needed they won't use it.

Mayor Knowles stated that is correct and asked if there were any other questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Rueger moved ordinance pass on second and third readings. Seconded by Councilman Cooper.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 06-33.

Mayor Knowles stated the next item, the Ordinance to Amend Ordinance 05-27 and 06-22, the 2006 and 2007 Salary Ordinances will be tabled.

Mayor Knowles stated the final item is the final reading of an Ordinance to Amend Schedule V, Angle Parking of Chapter 75: Parking Schedules of the Mt. Vernon Code of Ordinances. She then asked if there were any questions?

Councilman Tucker stated he has mixed feeling about this - around 50 people or so have complained to him about problems backing out of the spaces, the 3rd and Main issue as well as an issue crossing the double yellow line while southbound on Main. He added people also want the turn lane back.

Mayor Knowles replied the merchants wanted this overwhelming, and the city actually procrastinated. She added the engineers indicate this is more of a perceived problem than a real problem, and she felt it was worth pursuing.

Councilman Tucker added Mt. Vernon, like most of the U.S. in an aging society and this parking may be more of a hassle to older folks, who will then take there money elsewhere.

Mayor Knowles added that is one reason it was done, to allow more parking.

Councilman Tucker argues the spaces do not seem as wide as regular angle parking.

Comm. Epison replied all the spaces are at a minimum requirement of 8', though it does seem thinner. He added there have been no accidents there though yet. He then stated any modification can be made, the merchants just really wanted this and they were trying to give them what they wanted.

Mayor Knowles agreed the City of Mt. Vernon is not alone on this issue, but it is a problem that is easily, and fairly cheaply, solved.

Mayor Knowles requested action.

Councilman Curtis moved ordinance pass final reading. Seconded by Councilman Cooper.

Mayor Knowles asked if there were any questions?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - yes;

Curtis - yes; Cooper - yes.

Mayor Knowles stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 06-34.

Mayor Knowles asked if anyone else in the Audience wished to address the Council?

Larry Horton approached the podium and stated he has a complaint about a gentleman he witnessed on 6th Street field dressing a deer in his front yard. He added he found it to be pretty upsetting to drive by a see a deer hanging in a tree.

Mayor Knowles added it is bizarre, but she has not had a chance to look that ordinance up yet.

Attorney Funkhouser stated he does not remember anything on the books along those lines.

Mr. Horton stated a deer does not hang in a tree all by itself.

Councilman Tucker added it could be a health issue if it hangs there long enough.

Mr. Horton stated as a member of the Chamber of Commerce, he is not happy about it.

Councilman Cooper agreed that was the first he had ever seen of such a thing in town and he understands it is a real problem in New Harmony. He added there is no ordinance against it so people do it, they may need to look into drafting an ordinance.

Councilman Tucker added he has even spoken to a Conservation Officer and he did not know of any law against it.

Councilman Curtis argued that it was in the man's yard and he cleaned it up, maybe it is just his business.

Attorney Higgins agreed that even if the tree was located in the city easement the city that does not mean the city has any right to do anything about it.

Councilman Curtis again stated he was in his own yard and he would hate to tell someone what they can and can't do in their own yard.

Mayor Knowles asked if there was any Old Business?

Councilman Rueger asked how long W. 2nd Street was going to be blocked?

Mayor Knowles replied there is a court hearing on the building on Thursday but the engineer says literally there is one metal rod holding the building up.

Attorney Funkhouser added they have filed for an emergency mandatory injunction to take it down.

Councilman Cooper agreed they can not keep the street blocked forever.

Attorney Funkhouser stated it is an emergency situation and people should be aware to avoid the area, it is a safety issue.

Councilman Rueger wondered if the city could "out" the owners in the paper and force them to take action.

Councilman Cooper asked what happened to the building that the back fell out of.

Mayor Knowles replied the owners are going to repair it.

Mayor Knowles asked if there was any New Business?

There was none.

Mayor Knowles stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she has no report.

 2^{nd} District Councilman Tucker asked if anyone had noticed the sign east of town? The sign had Southwind Maritime Center misspelled.

Mayor Knowles replied she will call them.

3rd District Councilman Rueger stated he has no report.

4th District Councilman Curtis stated he has no report.

<u>Councilman-at-Large Cooper</u> stated he has no report.

Mayor Knowles stated if there were no further business, she entertains a motion to adjourn.

Councilman Cooper moved the meeting be adjourned. Seconded by Councilwoman Askren.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously and adjourned the meeting.

Rosemary L. Knowles	
Mayor	
ATTEST:	

Cristi L. Wolfe

Clerk-Treasurer